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EXAMINER  
WIELAND, S

ART UNIT	PAPER NUMBER
2741	

DATE MAILED: 09/02/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

*See attached Office Action*

# Office Action Summary

Application No.

08/918 386

Applicant(s)

Haujisto et al.

Examiner

S. Widland

Group Art Unit

2741

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 8-26-97
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-12 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1, 3, 4, 8-12 is/are rejected.
- ☒ Claim(s) 2, 5, 6, 7 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ ☐ Interview Summary, PTO-413
- ☒ Notice of References Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because it is not grammatically correct. For example, "In a method" should be "A method", "said telephone" should be "telephone", "dialled" should be "dialed". Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

2. Claims 4-12 are objected to because of the following informalities: the references to drawings (numbers) should be deleted. In claim 12, "GSM" should be spelled out before it is abbreviated. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,3,4, and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada (5,222,121), cited by Applicant.

In regard to claims 1 and 4, Shimada shows a voice recognition dialing unit that contains a method and apparatus which: a) contains means for storing telephone numbers that are later selected (Fig. 3, item 302), b) means for storing identifiers (Fig. 2, response name and pip), c) means for receiving an identifier given in a voice form (Fig. 5, item 51), d) means for interpreting

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the received voice commands (Fig. 5, item 54), e) means for selecting a telephone number in response to a voice command (Fig. 5, items 62,63), and means for using and verifying identifiers before retrieving a number (col.1- 2). Shimada does not specifically say that a sub-identifier is used. One of ordinary skill in the art at the time of the invention would think it obvious to add a sub-identifier to the system of Shimada because it would provide another way of accessing the data thereby increasing the validity and decreasing the time it takes to look up the data.

In regard to claim 3, Shimada show that numbers can be retrieved based on the names specified. Shimada does not show specifically how the names are divided, pronounced, and looked up. It would be obvious to one of ordinary skill in the art at the time of the invention that names are usually divided into 2 parts (which can be called sub-identifiers), first and last names.

In regard to claims 8, 9, and 10, Shimada show that the voice controlled device is part of a mobile phone or can be part of a separate device (claimed telecommunication device or terminal, Abstract).

In regard to claims 11 and 12, Shimada shows that this device can be used in the vehicle but does not specifically show that this device can be located in the telecommunication network or at a mobile station. The Examiner takes Official Notice that cars can contain mobile communication networks which can be hooked up to a mobile station, for example, GPS systems and this is old and well known in the art. Therefore it would be obvious to one of ordinary skill in the art at the time of the invention to place a voice controlled device either in the telecommunication networks or the mobile station networks because it is a design choice.

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*Allowable Subject Matter*

5. Claims 2,5,6, and 7 are objected to but would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

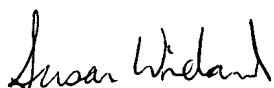
6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not show or suggest that a telephone number can be selected by using voice recognition using a combination of several sub-identifiers. Although the prior art does use identifiers, the claimed invention looks at several sub-identifiers stored in memory. It is not required that a user pronounce the sub-identifiers in the exact order as they were stored , but any combination or partial combination of sub-identifiers can be used.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Wieland whose telephone number is (703) 308-6693.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth, can be reached at (703)308-4825. The facsimile phone number for this group is (703)305-9508.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703)305-3900.



Susan Wieland

August 27, 1998